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PATENT Attorney Docket No. 9223A

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: B

Brazier et al.

Application No.:

10/516,967

Filed:

December 3, 2004

For:

MAT

**Group Art Unit:** 

1771

Examiner:

Cheryl Ann Juska

Commissioner for Patents Post Office Box 1450 Alexandria, VA 22313-1450

### INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR 1.97 and 1.98, the references listed on the enclosed Form PTO-1449 and/or Substitute Form PTO-1449 ("Form 1449") are submitted for consideration by the Examiner in the examination of the above-identified patent application.

The full consideration of the references in their entirety by the Examiner is respectfully requested and encouraged. Also, it is respectfully requested that the references be entered into the record of the present application and that the Examiner place his or her initials in the appropriate area on the enclosed Form 1449, thereby indicating the Examiner's consideration of each of the references.

The submission of the references listed on the Form 1449 is for the purpose of providing a complete record and is not a concession that the references listed thereon are prior art to the invention claimed in the patent application. The right is expressly reserved to establish an invention date earlier than the above-identified filing date in order to remove any reference submitted herewith as prior art should it be deemed appropriate to do so.

Further, the submission of the references is not to be taken as a concession that any reference represents art that is relevant or analogous to the claimed invention. Accordingly, the right to argue that any reference is not properly within the scope of prior art relevant to an examination of the claims in the above-identified application is also expressly reserved.

In re Application of: Brazier et al. Application No. 10/516,967

Дриос					
The In	formatio	on Disclosure Statement is being filed:			
	within any one of the following time periods: (a) within three months of the filing date of national application other than a continued prosecution application under '37 CF 1.53(d); (b) within three months of the date of entry of the national stage as set forth 37 CFR 1.491 of an international application; (c) before the mailing date of a first Office Action on the merits; or (d) before the mailing of a first Office Action after the filing of request for continued examination under 37 CFR 1.114.				
	1.113,	a), (b), (c) or (d) above, but before the mailing date of a final action under 37 CFR a Notice of Allowance under 37 CFR 1.311, or an action that otherwise closes cution in the application, and includes one of:			
	or	the statement under 37 CFR 1.97(e) (see "Statement under 37 CFR 1.97(e)" below).			
		the fee of \$180.00 set forth in 37 CFR 1.17(p) (see "Fees" below).			
	after the mailing date of a final action under 37 CFR 1.113 or a Notice of Allow under 37 CFR 1.311, or an action that otherwise closes prosecution in the applicand on or before payment of the issue fee, and includes the Statement under 37 1.97(e) (see "Statement under 37 CFR 1.97(e)" below), and the fee of \$180.00 a forth in 37 CFR 1.17(p) (see "Fees" below).				
	payme contain CFR 1 as set NOTE:	ne mailing date of a Notice of Allowance under 37 CFR 1.311, and on or before ent of the issue fee, and within thirty days of receiving each item of information ned in the Information Disclosure Statement, and includes the Statement under 37 .704(d) (see "Statement under 37 CFR 1.704(d)" below), and the fee of \$180.00 forth in 37 CFR 1.17(p) (see "Fees" below).  This is for original applications except applications for a design patent, filed on or after 9, 2000, wherein a paper containing only an Information Disclosure Statement in ance with 31 CFR 1.97 and 1.98 is being filed.			
Copie	s of the	e References			
$\boxtimes$		s of the references identified on the accompanying Form 1449, with the exception patents and U.S. patent application publications, are enclosed herewith.			
	relevar English by a for relevar	ed to each reference not in the English language is a concise explanation of the note pursuant to 37 CFR 1.98(a)(3). An English-language equivalent/patent, or an h-language abstract, or an English-language version of the search report or action oreign patent office in a counterpart foreign application indicating the degree of note found by the foreign office is being submitted in lieu of a concise explanation relevance pursuant to 37 CFR 1.98(a)(3).			

analysis set forth therein.

A copy of the foreign search report is enclosed herewith. The submission of the foreign search report does not constitute an admission regarding the relevance of the cited documents or the propriety of the analysis set forth therein. The right is expressly reserved to argue the lack of relevance of the cited documents or the impropriety of the

Applica	ation No. 10/516,967						
	The references listed on the enclosed Form 1449 were previously identified in the parent application(s) of the present application, and copies of the references were furnished at that time. Accordingly, additional copies of the references are not submitted herewith, so as not to burden the file with duplicate copies of references. The Examiner is respectfully requested to carefully review the references in accordance with the requirements set out in the Manual of Patent Examining Procedure. In accordance with 37 CFR 1.98(d), the details of the parent application(s) relied upon for an earlier filing date under 35 USC 120 in which copies of the references were previously furnished are set out below:						
		U.S. APPLICATIONS					
	Application No.	Filing Date	Status				
	•						
State	The undersigned hereby states that each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the fling of the Information Disclosure Statement.  The undersigned hereby states that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.						
State	ment under 37 CFR 1.70	04(d)					
	The undersigned hereby states that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 CFR 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.						
Fees							
⊠ □.	No fee is owed by the a The IDS Fee of \$180.00	applicant(s). 0 under 37 CFR 1.17(p) is enclo	osed herewith.				

In re Application of: Brazier et al.

In re Application of: Brazier et al. Application No. 10/516,967

Method	of Pay	<b>ment</b>	of Fees
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Attached is a check in the amount of \$0.00.

Please charge Deposit Account No. 04-0500 in the amount of \$0.00. (If submitted via first class mail or as "Express Mail Post Office to Addressee," a duplicate copy of this communication is enclosed for this purpose.)

# **Authorization to Charge Additional Fees Due**

If any fees are owed in connection with this communication, please charge Deposit Account No. 04-0500. (If submitted via first class mail or as "Express Mail Post Office to Addressee," a duplicate copy of this communication is enclosed for this purpose.)

## Instructions as to Overpayment

Please credit any overpayment to Deposit Account No. 04-0500.

Charlotte C. Wilson Reg. No. 45,224

MILLIKEN & COMPANY 920 Milliken Road, M-495 Post Office Box 1926 Spartanburg, SC 29304

Telephone: (864) 503-2194 Facsimile: (864) 503-1999

Date: February 21, 2007

### Certificate of Mailing Under 37 CFR § 1.8

I hereby certify that this correspondence, and all correspondence referenced herein as being enclosed with this correspondence, is being deposited with the United States Postal Service in an envelope addressed to "Commissioner for Patents, PO Box 1450, Alexandria VA 22313-1450" with sufficient postage on the following

Date: February 21, 2007

Signature:

Name: Kim Barnette

FEB 23 2007

Substitute for form 1449A/B/PTO

INFORMATION DISCLOSURE

STATEMENT BY APPLICANT

(Use as many sheets as necessary)

of

Complete if Known					
Application Number	10/516,967				
Filing Date	December 3, 2004				
First Named Inventor	Peter C. Brazier				
Art Unit	1771				
Examiner Name	Cheryl Ann Juska				
Attorney Docket Number	9223A				

AA US 4,109,039 08/22/78 McCo AB US 4,112,176 09/05/78 Bailet AC US 5,170,526 12/15/92 Murra AD US 6,623,840 09/23/03 Haint AE US 6,821,623 11/23/04 Kvesi AF US 2003/0072911 A1 04/17/03 Higgii AG US 2003/0170420 A1 09/11/03 Higgii AH US 2003/0203152 A1 10/30/03 Higgii AI US 2004/0022985 A1 02/05/04 Higgii AJ US 2004/0022991 A1 02/05/04 Higgii	y ay pach
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Substitute	for form 1449A/B/F	OT		Complete if Known		
				Application Number	10/516,967	
INFC	PRMATION	DIS	CLOSURE	Filing Date	December 3, 2004	
STA	TEMENT B	Y A	PPLICANT	First Named Inventor	Peter C. Brazier	
				Art Unit	1771	
	(Use as many shee	ets as i	necessary)	Examiner Name	Cheryl Ann Juska	
Sheet	2	of	2	Attorney Docket Number	9223A	

			FORE	IGN PA	TENT DOCUME	NTS		
		Fo	reign Patent Docum	ent			Trans	lation
Examiner Initials	Doc. No.	Office	Number	Kind Code	Publication Date (MM/DD/YYYY)	Name of Patentee or Applicant of Cited Document	Yes	No⁺⁺
	AM	EP	0581571	B1	07/08/98	Canon Kabushiki Kaisha		
	AN	FR	2763880	A1	12/04/98	Levasseur		
	AO	GB	1373923	A1	11/13/74	Minnesota Mining & Mfg. Co.		
	AP	JP	030023816	Α	01/31/91	Tamija Corp.		
	AQ	JP	030244684	Α	10/31/91	Nippon Ratetsukusu Kako KK		
	AR	JP	050050541	Α	03/02/93	Inoac Corp		
	AS	JP	070100048	Α	04/18/95	Ohtsu Tire & Rubber Co, Ltd. :The		
	AT	JP	070275107	Α	10/24/95	Inoac Corp.		
	AU	WO	1996/011106	A1	04/18/96	Milliken Research Corp.		
	AV	WO	1996/022413	A1	07/25/96	EKOTEX SRO		
	AW	WO	1996/038298	A1	12/05/96	Milliken Research Corp.		
	AX	WO	2003/014462	A1	02/20/03	Royal Rubber Manufacturing		
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Examiner Signature	Date Considered	

<sup>A concise statement of relevance is being submitted in lieu of a translation. 37 CFR 1.98(a)(3).
An English-language equivalent/patent, or an English-language abstract, or an English-language version of the search report or action by a foreign patent office in a counterpart foreign application indicating the degree of relevance found by the foreign office is being submitted in lieu of a consice explanation of relevance under 37 CFR 1.98(a)(3).</sup>